

R E S O L U T I O N

**ENDORISING THE PLAN OF ASBURY PARK AND
DESIGNATING ASBURY PARK AS AN URBAN CENTER**

WHEREAS, the State Planning Commission, pursuant to its responsibilities under the State Planning Act, N.J.S.A. 52:18A-196 et seq., has prepared and adopted a State Development and Redevelopment Plan which includes a State Plan Policy Map; and

WHEREAS, in adopting a State Development and Redevelopment Plan, the State Planning Commission has laid out goals, policies, and objectives for the use of land in the State of New Jersey (including the concept of Centers as the organizing planning principle for achieving a more effective and efficient pattern of development in the State); and

WHEREAS, the State Planning Commission is empowered, pursuant to N.J.S.A. 52:18A-203 of the State Planning Act, to adopt rules and regulations to carry out and implement its statutory responsibilities and purposes, including establishing a process for the endorsement of municipal, county and regional plans that are consistent with the State Development and Redevelopment Plan; and

WHEREAS, pursuant to its authority under N.J.S.A. 52:18A-203, the State Planning Commission has adopted regulations, set forth in N.J.A.C. 5:85-7.1 et seq., that establish procedures for filing of petitions with the State Planning Commission for the purpose of requesting Plan Endorsement in order that the Map and Plan can better serve to foster cooperation and coordination of planning activities between State agencies and county and local governments; and

WHEREAS, the State Planning Commission encourages municipalities, regions, and counties to demonstrate that their plans are consistent with the goals, policies and objectives of the State Development and Redevelopment Plan, thereby rendering their plans eligible for Endorsement from the Commission; and

WHEREAS, the City of Asbury Park is entirely located in Planning Area 1, with small areas designated as Critical Environmental Sites;

WHEREAS, the State Development and Redevelopment Plan accordingly identifies five types of Centers: Urban Centers, Regional Centers, Towns, Villages, and Hamlets, and sets forth policies regarding the identification, delineation, development and redevelopment of Centers; and

WHEREAS, the City of Asbury Park, Monmouth County, filed a petition with the State Planning Commission in September of 2004, pursuant to the provisions of N.J.A.C. 5:85-7.1 et seq., seeking initial

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plan endorsement of its planning documents, along with an amendment of the State Plan Policy Map to reflect the requested designation of the City of Asbury Park as an Urban Center; and

WHEREAS, the Staff and Executive Director of the Office of Smart Growth reviewed the petition filed by the City of Asbury Park and determined that the petition meets the requirements of N.J.A.C. 5:85-7.6 for initial plan endorsement; and

WHEREAS, the Staff and Executive Director of the Office of Smart Growth forwarded a report dated April 21, 2005 to the Plan Implementation Committee evaluating the petition and recommending that the State Planning Commission approve the petition submitted by the City of Asbury Park and the attached revised Planning and Implementation Agreement; and

WHEREAS, the Staff and Executive Director of the Office of Smart Growth, in the report dated April 21, 2005, to the Plan Implementation Committee evaluating the petition, found that the City of Asbury Park had substantially met the criteria for designation as an Urban Center given that those criteria are intended to be applied flexibly; and

WHEREAS, the Plan Implementation Committee reviewed and considered the petition for Plan Endorsement of the City of Asbury Park, the request that the City of Asbury Park be designated an Urban Center, the Planning and Implementation Agreement, the report of the Staff and Executive Director of the Office of Smart Growth to the Plan Implementation Committee dated April 21, 2005 evaluating the petition, and the comments made regarding the petition at its meeting on April 27, 2005; and

WHEREAS, Asbury Park is a fully developed municipality in Monmouth County, New Jersey and is currently undergoing a tremendous redevelopment effort after decades of blight and urban decay; and

WHEREAS, to guide the revitalization of the City, Asbury Park officials are currently preparing a new comprehensive master plan, and have completed several strategic plans to focus redevelopment efforts, including a Central Business District Redevelopment Plan and a Waterfront Redevelopment Plan; and

WHEREAS, the City of Asbury Park has taken a proactive approach to involving the community in the preparation of its various plans, and through a public participation process performed during the preparation of the new City Master Plan, has crafted a detailed vision statement which is consistent with the goals, policies, and objectives of the State Development and Redevelopment Plan; and

WHEREAS, the New Jersey Department of Environmental Protection (DEP), in March 2004, issued

a CAFRA (Coastal Area Facilities Review Act) permit to allow for the redevelopment of the oceanfront area of the City based on the City's Waterfront Redevelopment Plan; and

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WHEREAS, a CAFRA permit is a statement of consistency with DEP policies and programs; and

WHEREAS, DEP granted the City its CAFRA permit on the condition that the City petition for Plan Endorsement and request designation as an Urban Center; and

WHEREAS, the Plan Implementation Committee concurred with the recommendations summarized in the report forwarded by the Staff and Executive Director of the Office of Smart Growth to the Plan Implementation Committee on April 21, 2005 to designate the City of Asbury Park as an Urban Center; and

WHEREAS, the City of Asbury Park has agreed to revisions of the draft Planning and Implementation Agreement in the City's petition as recommended by the Staff and Executive Director of the Office of Smart Growth and as discussed by the Plan Implementation Committee during its review of the City's petition at its meeting on April 27, 2005; and

WHEREAS, the State Planning Commission has considered the petition submitted by the City of Asbury Park, including the revised Planning and Implementation Agreement, the findings of the Staff and Executive Director of the Office of Smart Growth with regard to the petition, the recommendations of the Commission's Plan Implementation Committee with regard to the petition, and all of the comments and written correspondence submitted to the Office of Smart Growth and the State Planning Commission with regard to the petition; and

WHEREAS, the State Planning Commission hereby affirms and adopts the Report prepared by the Staff and the Executive Director of the Office of Smart Growth;

WHEREAS, the State Planning Commission has determined that the petition for initial plan endorsement submitted by the City of Asbury Park, including the revised Planning and Implementation Agreement, is consistent with the State Development and Redevelopment Plan as required by N.J.A.C. 5:85-7.6(c); and

WHEREAS, the State Planning Commission has determined it appropriate to approve the amendment of the State Plan Policy Map to designate the City of Asbury Park as an Urban Center, with the areas depicted on the map attached to the Report prepared by the Staff and the Executive Director of the Office of Smart Growth designated as Critical Environmental Sites; and

WHEREAS, the State Planning Commission and the City of Asbury Park intend to enter into a mutual planning partnership by virtue of the Planning and Implementation Agreement, the Commission and its constituent agencies hereby commit to support the planning efforts of Asbury Park through cooperative financial, technical, and regulatory assistance to the extent permitted by law and available resources.

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NOW, THEREFORE, BE IT RESOLVED, that, the State Planning Commission, pursuant to N.J.A.C. 5:85-7.6(c), hereby approves the petition for Initial Plan Endorsement submitted by the City of Asbury Park; and

BE IT FURTHER RESOLVED, that the State Planning Commission hereby designates the City of Asbury Park as an Urban Center and designates the areas depicted on the map attached to the Report prepared by the Staff and the Executive Director of the Office of Smart Growth as Critical Environmental Sites under the State Development and Redevelopment Plan; and

BE IT FURTHER RESOLVED, that the State Planning Commission hereby authorizes its secretary and principal executive officer, Maura McManimon to execute the attached Planning and Implementation Agreement; and

BE IT FURTHER RESOLVED, that, in implementing the endorsed plan of Asbury Park, the City of Asbury Park is obligated to work on and complete the various items in the revised Planning and Implementation Agreement and to continue to carry out its plans in accordance with the goals, strategies and policies of the State Development and Redevelopment Plan; and

BE IT FURTHER RESOLVED, that, in approving the petition for initial plan endorsement submitted by the City of Asbury Park, it is understood that N.J.A.C. 5:85-7.13 provides that the endorsement may be revoked if the State Planning Commission determines that the City of Asbury Park has either made substantial changes to its endorsed plans or substantially violated the terms of its Planning and Implementation Agreement so that the plans of the City of Asbury Park are no longer consistent with the State Development and Redevelopment Plan; and

BE IT FURTHER RESOLVED, that the State Planning Commission and the City of Asbury Park have entered into a mutual planning partnership by virtue of the Planning and Implementation Agreement, and that therefore it is the obligation of the State agencies to provide the assistance to the City of Asbury Park specified in the Planning and Implementation Agreement consistent with statutory and regulatory requirements and to the extent of available resources; and

BE IT FURTHER RESOLVED, that, in approving the amendment of the State Plan Policy Map for the purpose of designating the City of Asbury Park as an Urban Center, it is understood that such amendment in no way exempts property owners and/or development applicants within the area affected by

this amendment from securing all approvals required by law from the relevant federal, state, county and/or local agencies, nor does this amendment override or modify the terms and conditions under which said approvals are secured; and

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BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Acting Governor, the Senate President, the Assembly Speaker, members of the Legislature representing the City of Asbury Park and the Monmouth County Board of Chosen Freeholders and Planning Board, the governing body of the City of Asbury Park, the Planning Board of the City of Asbury Park, the Commissioners and Secretaries of State Agencies and that notice of this decision be provided as set forth in N.J.A.C. 5:85-7.6(d) and (e).

Certification

This Resolution was adopted by the New Jersey State Planning Commission at its meeting held on Wednesday, May 18, 2005. Ayes: (13) Joanna Dunn Samson, John Eskilson, Patrick Gillespie, Monique Purcell, Marilyn Lennon, Brent Barnes, Marge Della Vecchia, Daniel Levine, Edward McKenna, Thomas Michnewicz, George Pruitt, Christiana Foglio. Nays: (0). Abstains: (0).



Maura K. McManimon, Secretary
NJ State Planning Commission

Dated: May 18, 2005